

EXHIBIT 1-7

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

NICKELS AND DIMES INC.)	
)	
Plaintiff,)	
)	CASE NO. 3:23-cv-699
v.)	
)	
NOAH'S ARCADE, LLC d/b/a FULL TILT,)	
BEN KONOWITZ, AND RYAN HART)	
)	
Defendants.)	

**DEFENDANT, NOAH'S ARCADE, LLC d/b/a FULL TILT'S RESPONSES
TO PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF
DOCUMENTS**

Defendant, Noah's Arcade, LLC d/b/a Full Tilt, by counsel, submits its response to the Plaintiff's requests for production.

The Defendant, by counsel, objects to all the duties, instructions, definitions and obligations of any type which proceed Plaintiff's Second Request for Production to the Defendant, and which Plaintiff attempts to impose on the Defendant. These are not agreed to between the parties under FRCP 29. These responses have been made according to FRCP 26 regarding the scope of discovery, FRCP 34 regarding Responses to Request for Production, and case law interpreting those rules. The Defendant does not agree to any additional duties, instructions, definitions, or obligations in responding to Plaintiff's Second Request for Production of Documents.

The Defendant also objects to the lengthy, multiple, separate definitions used by Plaintiff because they make the Request for Production of Documents unduly burdensome, confusing, and not understandable taken alone.

RESPONSES

DOCUMENT REQUEST NO. 1: All Documents and communications showing actual confusion by customers between Plaintiff's Marks and the Challenged Marks.

Response: Defendant has no documents or communications in its possession that are responsive to this request.

DOCUMENT REQUEST NO. 2: All Documents and communications connected to, demonstrating or evidencing customer inquiries about the location of Defendant's arcade,

including but not limited to questions regarding whether there are multiple locations of Defendant's arcade in Indiana.

Response: Defendant has no documents or communications in its possession that are responsive to this request.

DOCUMENT REQUEST NO. 3: All Documents and communications concerning Defendant's consideration, selection, and adoption of the Domain Name, www.fulltiltjp.com, including but not limited to searches conducted for available domain names and alternative domain names considered by Defendant.

Response: See Exhibit B.

DOCUMENT REQUEST NO. 4: All Documents sufficient to show the circumstances of any consumer confusion between www.fulltiltfun.com or www.fulltiltjp.com and Plaintiff's domain www.tiltstudio.com.

Response: Defendant has no documents in its possession that are responsive to this request.

DOCUMENT REQUEST NO. 5: Any and all Documents, including receipts, ledgers, excel documents, credit card reports, QuickBooks or similar reports, and point-of-sale transaction records, sufficient to show individual customer purchases and customer information.

Response: Defendant does not keep receipts and does not maintain ledgers, excel documents, credit card reports, QuickBooks or similar reports, or point-of-sale transaction records showing individual customer purchases and/or customer information. Please see Defendants' Supplemental Responses for what information Defendant has in its possession.

DOCUMENT REQUEST NO. 6: All Documents and communications sufficient to show any strategic planning about Defendant's business model, including but not limited to target customer profiles and estimated geographic reach of the business.

Response: Please see Exhibit A and Exhibit C. Defendant has never created customer profiles or estimated the geographic reach of its business.

Respectfully submitted,
HUNT SUEDHOFF KEARNEY LLP

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Certificate of Service

I certify that a true and exact copy of the foregoing was served upon all parties of record this 18th day of June 2024, via email:

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